

# REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF  
Mansiones de Bonita, TM 5543, Log No. 07-18-003

August 14, 2008

COMMENT TO STAFF: The Project Manager must ensure that all applicable environmental ordinances are complied with to the extent that these ordinances apply to the project.

**I. HABITAT LOSS PERMIT ORDINANCE** – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES  
☐

NO  
☐

NOT APPLICABLE/EXEMPT  
☒

Discussion:

The proposed project and any off-site improvements are located within the boundaries of the Multiple Species Conservation Program. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

**II. MSCP/BMO** - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES  
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NO  
☐

NOT APPLICABLE/EXEMPT  
☐

Discussion:

The proposed project and any off-site improvements related to the proposed project are within the boundaries of the Multiple Species Conservation Program. The project conforms with the Multiple Species Conservation Program and the Biological Mitigation Ordinance as discussed in the MSCP Findings dated August 14, 2008.

**III. GROUNDWATER ORDINANCE** - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES  
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NO  
☐

NOT APPLICABLE/EXEMPT  
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Discussion:

The project will obtain its water supply from the Sweetwater Authority Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

**IV. RESOURCE PROTECTION ORDINANCE** - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The <a href="#">Steep Slope</a> section (Section 86.604(e))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

Discussion:

***Wetland and Wetland Buffers:***

The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year.

***Floodways and Floodplain Fringe:***

The project is not located in or near a floodplain or floodway.

***Steep Slopes:***

Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property. The project is in conformance with the RPO.

***Sensitive Habitats:***

No sensitive habitat lands were identified on the site as determined on a site visit conducted by Mark Slovick on August 9, 2007. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the Resource Protection Ordinance.

***Significant Prehistoric and Historic Sites:***

Based on an analysis of County of San Diego archaeology resource files, archaeological records, maps, and aerial photographs by County of San Diego staff archaeologist, Gail Wright, it has been determined that the project site does not contain any archaeological resources.

**V. STORMWATER ORDINANCE (WPO)** - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES  
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NO  
☐

NOT APPLICABLE  
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Discussion:

The project Storm Water Management Plan received March 10, 2008 was reviewed for this project and appears to be complete and in compliance with the WPO

**VI. NOISE ORDINANCE** – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES  
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NO  
☐

NOT APPLICABLE  
☐

Discussion:

Even though the proposal could generate potentially significant noise levels (i.e., in excess of the County General Plan or Noise Ordinance), the following noise mitigation measures are proposed to reduce the noise impacts to applicable limits:

Staff has completed the review of the Bonita Park Associates project TM5543 and the Acoustical Site Assessment report prepared by Investigative Science and Engineering, Inc. (ISE) received on March 10, 2008. Project consists of a 5 lot residential subdivision. Based on the noise report, future traffic noise levels at ground level receptors will range as high as 63.2 dBA CNEL at Lot 5 to 64.7 dBA CNEL at Lot 1. Project is subject to the County Noise Element 4b, sound level requirement of 60 dBA CNEL to Noise Sensitive Land Uses (NSLUs). Mitigation is required and can be achieved by construction of noise mitigation measures consisting of two six (6') foot high sound walls. The six (6') foot high sound walls shall run along the proposed top of slope of the southern property line of Lot 1 and Lot 5 facing Sweetwater road. Implementation of the recommended sound attenuation walls will reduce these noise impacts to as high as 53.7 dBA CNEL at Lot 5 and 57.8 dBA CNEL at Lot 1. Please refer to Section: Future Traffic Noise Impacts, Table 2, and Figure 6 for the detailed results of the noise calculations and the location of the recommended sound wall mitigation. Additionally, the location of the future traffic second story 60 dBA CNEL contour line includes portions of Lot 1 and Lot 5. Staff recommends a Noise Protection Easement over a portion of Lot 1 and Lot 5. Therefore, implementation of the two recommended six (6') foot high sound mitigation walls and dedication of a Noise Protection Easement will ensure the project will not expose people

to potentially significant noise levels that exceed the allowable limits of the County of San Diego General Plan, Noise Element and will not exceed County Noise Standards.